IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

WEDNESDAY, THE 27TH JUNE 2007 / 6TH ASHADHA 1929

WP(C).No. 19725 of 2007(W)

OS.512/2005 of I ADDL.SUB COURT, THRISSUR

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PETITIONER:

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1. SUSAN,W/O.LATE JOSE PERINCHERY,
   PERINCHERY HOUSE,FINE ARTS AVENUE,
   ERNAKULAM,KOCHI-16.

2. SHEREEN,D/O.LATE JOSE PERINCHERY,
   PERINCHERY HOUSE,FINE ARTS AVENUE,
   ERNAKULAM,KOCHI-16.

3. J.PAUL PERINCHERY,S/O.LATE
   JOSE PERINCHERY,PERINCHERY HOUSE, FINE ARTS AVENUE
   ERNAKULAM,KOCHI-16.

4. J.THOMAS PERINCHERY,S/O.LATE
   JOSE PERINCHERY,PERINCHERY HOUSE,
   FINE ARTS AVENUE,ERNAKULAM,KOCHI-16.

BY ADV. SRI.JIJO PAUL

RESPONDENTS:

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1. SASI ANTO,W/O.LATE ANTO PERINCHERY,
   PERINCHERY HOUSE,PALLIKULAM ROAD,THRISSUR-680 005.

2. THE CHIEF MANAGER,UNION BANK OF INDIA,
   U.D.A.BUILDING,P.B.NO.123,
   S.T.NAGAR,THRISSUR-680 001.

BY ADV. SRI.A.S.P.KURUP, SC, UBI

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 27/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N.KRISHNAN,J

W.P.(C) NO. 19725 of 2007

Dated this the 27th day of June, 2007

JUDGMENT

This writ petition is filed seeking for a direction to dispose of O.S.512/2005 pending before the Ist Additional subordinate Judge, Thrissur. The said suit is one for partition of the property and for a permanent prohibitory injunction from alienation in favour of the strangers. Learned counsel for the petitioners submit that there is an order of injunction and proceedings are pending against him under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act 2002 (the Securitisation Act) and therefore until and unless the suit is disposed of, thereby they can get the order of injunction vacated, there will be a difficulty for them to find out resources for satisfying the amount for which proceedings have been initiated under the Securitisation Act. It is true that the case is of the year 2005, but since the first petitioner submits that it will affect his financial position, there may be a speedy disposal. If

the matter is ripened for trial, I direct the Ist Additional subordinate Judges Court to bestow its best attention and dispose of the matter, as expeditiously as possible, taking into consideration the urgency pointed out by the writ petitioners.

Writ petition is disposed of accordingly.

M.N.KRISHNAN, JUDGE

CSS